

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

| | | |
|---------------------------|---|-----------------------|
| CEDRIC M. WRIGHT, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 4:12CV107AGF |
| |) | |
| ST. LOUIS BOARD OF POLICE |) | |
| COMM'RS, et al., |) | |
| |) | |
| Defendants. |) | |

MOTION FOR SUMMARY JUDGMENT

Defendant Francis Slay, Jr., Thomas Irwin, Bettye Battle-Turner, Richard H. Gray, Daniel Isom, Gerald Leyshock, and Andrew Wismar¹ by and through counsel, move for summary judgment under Federal Rule of Civil Procedure 56 because there is no genuine dispute as to any material fact, and defendants are entitled to judgment as a matter of law. A memorandum in support of this motion is filed contemporaneously herewith.

¹ St. Louis Metropolitan Police Department employees Brian Eisele, Mark Garanzini, Vincent Simpher, and Andrew Crews were named as defendants in Wright's Motion to Substitute Parties (Doc. 86); however, this motion is currently pending before the Court. As a result, these individuals have not been served and are unrepresented at this time. If the Court grants plaintiff's Motion to Substitute and plaintiff serves these individuals within the time provided by Fed. R. Civ. P. 4(m), then undersigned counsel will file a separate Motion for Summary Judgment on their behalf within a reasonable amount of time after service.

WHEREFORE, defendants Slay, Irwin, Battle-Turner, Gray, Isom, Leyshock, and Wismar respectfully request that this Court grant their motion for summary judgment and award them any additional relief deemed just and proper.

Respectfully submitted,

CHRIS KOSTER
Attorney General

/s/ Karin A. Schute
Karin A. Schute, #62019MO
Chris R. Hoell, #54011MO
Assistant Attorneys General
Missouri Attorney General's Office
P.O. Box 861
St. Louis, Missouri 63188
Phone: (314) 340-7861
Fax: (314) 340-7029
*Attorneys for Defendants Slay,
Irwin, Battle-Turner, Gray, Isom,
Leyshock, and Wismar*

CERTIFICATE OF SERVICE

I certify that on this 13 day of March, 2014, I electronically filed the foregoing with the clerk of this Court by using the CM/ECF system, to be served by operation of the Court's electronic filing system, to the following:

Mr. James O. Hacking, III
Ms. Jennifer Shoulberg
Hacking Law Practice, LLC
34 N. Gore, Suite 101
St. Louis, Missouri 63119
Attorneys for Plaintiff

Mr. Daniel J. Emerson
City Counselor's Office
Room 314, City Hall
St. Louis, MO 63103
*Attorney for Defendants St. Louis City Sheriff's Department, Sheriff
Murphy, St. Louis City Division of Corrections, and Bryson*

/s/ Karin A. Schute
Assistant Attorney General